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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,647	11/29/2001	Mark A. Kirkpatrick	BS01-300	3214
38516	7590	09/07/2005	EXAMINER	
SCOTT P. ZIMMERMAN, PLLC PO BOX 3822 CARY, NC 27519			ZHEN, LI B	
			ART UNIT	PAPER NUMBER
			2194	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/995,647

Applicant(s)

KIRKPATRICK ET AL.

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-18, 20, 21, 23-26, 28, 29, 31-36 and 38 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 19, 22, 27, 30 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 38 are pending in the application.

Allowable Subject Matter

2. Claims 6, 8, 19, 22, 27, 30 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 11, 15 and 32 contain the trademark/trade name Oracle®. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe database system and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 24 – 38 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

7. Claims 24 – 38 are directed to method steps which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. Moreover, each of the claimed steps, inter alia, calling, compiling, retrieving, manipulating, sending, generating, reading, configuring and executing, can be practiced mentally in conjunctions with pen and paper. The claimed steps do not define a machine or computer implemented process [see MPEP 2106]. Therefore, the claimed invention is directed to non-statutory subject matter. (The examiner suggests applicant to change “method” to “computer implemented method” in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

Response to Arguments

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 1 - 5, 7, 9 - 18, 20, 21, 23 - 26, 28, 29, 31 - 36 and 38 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,665,662 to Kirkwood et al. [hereinafter Kirkwood, cited in the previous office action] in view of U.S. Patent No. 6,513,038 to Hasegawa et al. [hereinafter referred to as Hasegawa].**

11. As to claim 13, Kirkwood teaches the invention substantially as claimed including a web server system [Web Server 402; col. 18, lines 40 – 50] comprising:

a plurality of web browser applications [col. 21, lines 1 – 13];

means for performing manipulation service [database concept access API 424 includes processes for manipulating rules; col. 18, lines 10 – 39 and col. 11, lines 50 – 67] on data submitted by said at least one of the web browser applications [standalone client 404 such as a Web browser; col. 18, line 65 – col. 19, line 2];

means for processing web forms [col. 21, lines 40 – 50 and col. 21, line 62 – col. 22, line 10];

means for storing and retrieving a plurality of manipulation rules for performing said manipulation service [database concept access API 424 includes processes for manipulating rules, such as to return all rules in the rule table, to return all rules with a given name, to set the definition of a rule with a given name and sequence number, to

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generate and store a new rule with a given name and definition, to delete a given rule, and to delete rules with a given name; col. 18, lines 10 – 39]; and

means for compiling manipulation rules into said at least one web application in order to perform said manipulation service [generate and store a new rule with a given name and definition; col. 18, lines 10 – 40].

12. Although Kirkwood teaches the invention substantially, Kirkwood does not specifically teach manipulation rules comprising at least three hierarchically organized views, with each view utilizing an execution sequence of manipulation functions.

However, Hasegawa teaches manipulation rules comprising at least three hierarchically organized views [view definition syntax sets 3, Fig. 1; col. 8, lines 20 – 67], with each view utilizing an execution sequence of manipulation functions [directory manipulation translation unit 12 specifies the directory manipulating syntax 5, which corresponds to the view name designated by the view search instruction 11, in the view definition syntax sets 3, then decides the set of the entry and its attribute which are the manipulation object to manipulate the information on the content directory 16 based on the specified directory manipulating syntax 5; col. 9, lines 1 – 19].

13. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of manipulation rules comprising at least three hierarchically organized views, with each view utilizing an execution sequence of manipulation functions as taught by Hasegawa to the invention of Kirkwood because this provides a scheme for accessing data management directory independently from applications and also achieving an easy and flexible access to data which are managed

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by the actual directories from respective applications for the various purposes, by providing a view function for showing actual directories as directory structures which are easy for individual applications to utilize by sharing, dividing and integrating the actual directories [col. 2, lines 15 - 29]

14. As to claim 1, Kirkwood as modified teaches the invention substantially as claimed including a computer system for use with web-based applications [Web Server 402; col. 18, lines 40 – 50 of Kirkwood] comprising:

a web browser application [standalone client 404 such as a Web browser; col. 18, line 65 – col. 19, line 2 of Kirkwood];

at least one web form [documents; col. 20, lines 49 – 63 of Kirkwood] running on the web browser;

a web server capable of web-based forms [col. 21, lines 40 – 50 and col. 21, line 62 – col. 22, line 10 of Kirkwood];

a database stored in memory, the memory coupled to said computer system, wherein said web server is used for manipulating data with rules [database concept access API 424 includes processes for manipulating rules; col. 18, lines 10 – 39 and col. 11, lines 50 – 67 of Kirkwood] compiled in said web browser from said storage schema [generate and store a new rule with a given name and definition; col. 18, lines 10 – 40 of Kirkwood]; and

files containing manipulation rules in said database [rule table; col. 18, lines 10 – 40 of Kirkwood], the manipulation rules comprising at least three hierarchically

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organized views [view definition syntax sets 3, Fig. 1; col. 8, lines 20 – 67 of Hasegawa], with each view utilizing an execution sequence of manipulation functions [directory manipulation translation unit 12 specifies the directory manipulating syntax 5, which corresponds to the view name designated by the view search instruction 11, in the view definition syntax sets 3, then decides the set of the entry and its attribute which are the manipulation object to manipulate the information on the content directory 16 based on the specified directory manipulating syntax 5; col. 9, lines 1 – 19 of Hasegawa].

15. As to claim 23, Kirkwood as modified teaches a computer-readable medium with instructions executable by a processor for providing a manipulation application service for web-based applications [standalone client 404 such as a Web browser; col. 18, line 65 – col. 19, line 2 of Kirkwood], the medium comprising instructions to:

receive a service request [col. 19, lines 3 – 13 of Kirkwood] to a web server [col. 21, lines 40 – 50 and col. 21, line 62 – col. 22, line 10 of Kirkwood], the service request including data to be manipulated [col. 19, lines 3 – 12 of Kirkwood];

generate a service session instruction, the service session instruction based at least in part on the service request [col. 23, lines 30 – 45 of Kirkwood];

send the service session instruction to one or more web servers [col. 21, lines 23 – 32 of Kirkwood], the service session instruction corresponding to one or more data manipulation requests from said customer data device [col. 18, lines 10 – 39 and col. 11, lines 50 – 67 of Kirkwood];

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compile at least one page based on stored manipulation rules in a database [col. 20, lines 13 – 30 of Kirkwood], the manipulation rules comprising at least three hierarchically organized views [col. 8, lines 20 – 67 of Hasegawa], with each view utilizing an execution sequence of manipulation functions [col. 9, lines 1 – 19 of Hasegawa]; and

receive a manipulation service response to the data device, wherein the manipulation service response is based on the service request [generic server adapter 460 retrieves the responses from the VDS 410 through the concept access API 432, which provides an XML document; col. 21, line 63 – col. 22, line 10 of Kirkwood].

16. As to claim 24, Kirkwood as modified teaches a method of providing manipulation data service with a web-based computer system [standalone client 404 such as a Web browser; col. 18, line 65 – col. 19, line 2 of Kirkwood] comprising the steps of:

calling at least one server page from a web application [col. 11, lines 1 – 9 of Kirkwood];

compiling said at least one server page at a web server [col. 20, lines 12 – 30 of Kirkwood];

retrieving stored manipulation rules from a centralized storage coupled to the web server [col. 18, lines 10 – 39 of Kirkwood], the manipulation rules comprising at least three hierarchically organized views [col. 8, lines 20 – 67 of Hasegawa], with each view utilizing an execution sequence of manipulation functions [col. 9, lines 1 – 19 of Hasegawa]; and

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manipulating data provided from said web application in accordance with said manipulation rules [col. 21, lines 12 – 23 of Kirkwood].

17. As to claim 34, Kirkwood as modified teaches a method for validating data with a web server system [Web Server 402; col. 18, lines 40 – 50 of Kirkwood], the method comprising:

a step for sending a data manipulation service request [col. 19, lines 3 – 13 of Kirkwood] from a web user [col. 21, lines 40 – 50 and col. 21, line 62 – col. 22, line 10 of Kirkwood];

a step for generating a manipulation service instruction [col. 23, lines 30 – 45 of Kirkwood], the service instruction based at least in part on the manipulation service request from said web user [col. 18, lines 10 – 39 and col. 11, lines 50 – 67 of Kirkwood];

a step for compiling a server page into class files [col. 20, lines 12 – 30 of Kirkwood];

a step for reading manipulation rules from a database [col. 18, lines 10 – 39 of Kirkwood], the manipulation rules comprising at least three hierarchically organized views [col. 8, lines 20 – 67 of Hasegawa], with each view utilizing an execution sequence of manipulation functions [col. 9, lines 1 – 19 of Hasegawa];

a step for configuring the data manipulation information in the memory of a running program [generate and store a new rule with a given name and definition; col. 18, lines 10 – 40 of Kirkwood];

a step for executing a manipulation function in accordance with the manipulation rules [col. 21, lines 12 – 23 of Kirkwood].

18. As to claim 2, Kirkwood as modified teaches the manipulation rules are organized as a table-based system [col. 16, lines 47 – 60 of Kirkwood].

19. As to claim 3, Kirkwood as modified teaches the data is manipulated according to a highest priority view [col. 6, lines 45 – 50 of Hasegawa].

20. As to claim 4, Kirkwood as modified teaches the highest priority view [col. 6, lines 45 – 50 of Hasegawa] contains data describing a name of the highest priority view and an application name, the application name differentiating field names from those in other applications [directory manipulating syntax 5 described in the view definition syntax comprises a directory manipulation word which is a syntax for manipulating the directory, a class name, and its attribute; col. 8, lines 64 – 67 of Hasegawa].

21. As to claim 5, Kirkwood as modified if the data to be manipulated does not contain an entry matching the highest priority view, then the data is manipulated according to a second-highest priority view [col. 15, lines 1 – 25 of Hasegawa].

22. As to claim 7, Kirkwood as modified teaches the manipulation rules manipulate long distance ordering functions [col. 4, line 61 – col. 5, line 23 of Kirkwood].

23. As to claim 9, Kirkwood as modified teaches the highest priority view has the execution sequence of first converting date data to a four-digit year, then converting the date data to 01/01/1996 if not prior to that date, then converting the date data to 12/31/2002 if after that date [col. 11, lines 13 – 39; col. 12, lines 17 – 32 of Kirkwood].

24. As to claim 10, Kirkwood as modified teaches the manipulation rules are represented in the form of Lightweight Directory Access Protocol [col. 7, lines 33 – 45 of Hasegawa].

25. As to claim 11, Kirkwood teaches relational database but does not specifically mention an Oracle database. However, Oracle database is a well-known relational database and it would have been obvious to a person of ordinary skill in the art at the time of the invention to use an Oracle database to take advantage of the features of the Oracle database.

26. As to claim 12, Kirkwood as modified teaches the database is represented by Lightweight Directory Access Protocol [col. 7, lines 33 – 45 of Hasegawa].

27. As to claim 14, Kirkwood as modified teaches means for initiating a recompiling of said at least one web application [col. 19, lines 27 – 36 of Kirkwood].

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28. As to claims 15 – 17, these are similar in scope to claims 11, 12 and 3 above; therefore claims 15 – 17 are rejected for the same reasons as claims 11, 12 and 3 above.

29. As to claims 18, 20 and 21, these are similar in scope to claims 5, 7 and 9 above; therefore claims 18, 20 and 21 are rejected for the same reasons as claims 5, 7 and 9.

30. As to claims 25, 26, 28 and 29, these are similar in scope to claims 3, 5, 7 and 9 above; therefore claims 25, 26, 28 and 29 are rejected for the same reasons as claims 3, 5, 7 and 9.

31. As to claim 31, Kirkwood as modified teaches the manipulation rules manipulate long distance ordering [col. 4, line 61 – col. 5, line 23 of Kirkwood] information having a highest priority view representing valid installation dates [col. 8, lines 20 – 67 of Hasegawa], a second-highest priority view representing available installation dates [col. 9, lines 1 – 19 of Hasegawa], and a generic view representing an allowable number of telephones [col. 15, lines 1 – 25 of Hasegawa].

32. As to claims 32 and 33, these are similar in scope to claims 11 and 10 above; therefore claims 32 and 33 are rejected for the same reasons as claims 11 and 10.

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33. As to claims 35, 36 and 38, these are similar in scope to claims 3, 5 and 9 above; therefore, claims 35, 36 and 38 are rejected for the same reasons as claims 3, 5 and 9.

Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,226,637 to Carey et al. teaches a system for object building in queries over object views.

35. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2194

lbz
September 2, 2005


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